



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

MKM:MKP/TH
F. #2017R01840

271 Cadman Plaza East
Brooklyn, New York 11201

January 4, 2019

By ECF

The Honorable Nicholas G. Garaufis
United States District Judge
United States District Court
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Keith Raniere, et al.
Criminal Docket No. 18-204 (S-1) (NGG) (VMS)

Dear Judge Garaufis:

The government respectfully submits this letter to clarify for the Court its position, as articulated to the defendants before they requested a two-day extension of the deadline to file their motions related to severance and suppression (DE 261). As the Court is aware, the current motion schedule was based on a joint submission by the parties and was purposely staggered in light of the compressed pretrial schedule sought by the defendants. The government has no objection to the defendants' request for an extension, as long as the due dates for the government's motions move correspondingly. Thus, in response to the defendants' request, the government proposed that all current due dates be moved by two days. Defendants responded that this would "complicate matters among ourselves and the Court." The government then proposed a schedule that would have had no effect on the Court's calendar, as all motions would have been fully briefed by the dates previously ordered. The defendants never responded to this proposal and instead submitted the instant motion.

The defendants' proposal would unfairly prejudice the government by reducing the time between the due date for its opposition to the defendant's motions and the due date for its motion to admit enterprise and other act evidence. Therefore, the government respectfully requests that the defendants' motion be denied or that the other motion deadlines be

revised to cure the prejudice to the government, which would be most easily accomplished by moving all deadlines by two days.

Respectfully submitted,

RICHARD P. DONOGHUE
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cc: Counsel of Record (by ECF)